

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Randy A. Rapchak**  
**Lisa A. Rapchak**  
**aka Lisa A. Porter**  
Debtor(s)

Bankruptcy Case No.: 17-21045-JAD  
Issued Per May 22, 2017 Proceeding  
Chapter: 13  
Docket No.: 36 - 20  
Concil. Conf.: September 28, 2017 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated April 11, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Sep. 28, 2017 at 11:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PA Department of Revenue at Claim No. 1; I.R.S. at Claim No. 2 .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: May 30, 2017

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Randy A. Rapchak  
 Lisa A. Rapchak  
 Debtors

Case No. 17-21045-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 49

Date Rcvd: May 30, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 01, 2017.

db/jdb  
 cr  
 14384784 +Randy A. Rapchak, Lisa A. Rapchak, 907 Newell Road, Fayette City, PA 15438-1159  
 14384785 +Nationstar Mortgage LLC, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620  
 14384786 +AmerAssist, P.O. Box 26095, Columbus, OH 43226-0095  
 14384787 +Bank of America, N.A., P.O. Box 982284, El Paso, TX 79998-2284  
 Becket & Lee LLP, P.O. Box 3001, Malvern, PA 19355-0701  
 +CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285  
 (address filed with court: Capital One, c/o TSYS Total Debt Management, P.O. Box 5155, Norcross, GA 30091)  
 14384790 Chase, P.O. Box 15298, Wilmington, DE 19850-5298  
 14384791 +Citi Card, P.O. Box 6500, Sioux Falls, SD 57117-6500  
 14384792 +Colonial Acceptance, 312 Fallowfield Avenue, Charleroi, PA 15022-1405  
 14384794 +Creditors Financial Group, P.O. Box 440290, Aurora, CO 80044-1500  
 14384800 +David R. Galloway, Esq., 54 East Main Street, Mechanicsburg, PA 17055-3851  
 14384795 Encore Receivable Management, Inc., 400 North Rogers Road, P.O. Box 3330, Olathe, KS 66063-3330  
 14384796 +FMA Alliance, Ltd., 12339 Cutten Road, Houston, TX 77066-1807  
 14384797 Foundation Radiology Group, PC, P.O. Box 60, Pittsburgh, PA 15230-0060  
 14384798 +Frazier SD & Newell Boro. c/o SWRTB, One Centennial Way, Scottsdale, PA 15683-1741  
 14384799 +Fulton Friedman & Gullace, 130 Gettysburg Place, Mechanicsburg, PA 17055-5653  
 14384801 HSBC Card Services, P.O. Box 81622, Salinas, CA 93912-1622  
 14384802 +Image Time, Inc., 2965 Pittsburgh Road, Perryopolis, PA 15473-1005  
 14384804 +Jefferson Pain & Rehabilitation Center, 4735 Clairton Boulevard, Pittsburgh, PA 15236-2106  
 14384805 +KML Law Group, Suite 5000 BNY Mellon Independence Ctr., 701 Market Street, Philadelphia, PA 19106-1538  
 14384806 Laboratory Corporation of America, P.O. Box 2240, Burlington, NC 27216-2240  
 14384807 +Midland Credit Management, Inc., P.O. Box 2121, Warren, MI 48090-2121  
 14384808 Midland Funding, P.O. Box 268941, Oklahoma City, OK 73126-8941  
 14384809 +Midland Funding, 2365 Northside Drive--Suite 300, San Diego, CA 92108-2709  
 14384811 Monongahela Valley Hospital, 1163 Country Club Road, Monongahela, PA 15063-1095  
 14403081 +NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
 (address filed with court: Nationstar Mortgage, Attn: Bankruptcy Department, P.O. Box 619096, Dallas, TX 75261-9741)  
 14384813 +NCB Management Services, Inc., P.O. Box 1099, Langhorne, PA 19047-6099  
 14384812 National Enterprise Systems, 29125 Solon Road, Solon, OH 44139-3442  
 14384814 +Northland Group, Inc., P.O. Box 390846, Minneapolis, MN 55439-0846  
 14403082 Northstar Location Serviceas, 4285 Genesee Street, Cheektowaga, NY 14225-1943  
 14384819 +PNC Bank, Consumer Loan Center, 2730 Liberty Avenue, Pittsburgh, PA 15222-4704  
 14384820 +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421  
 14386042 +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14384817 Partners in Nephro and Endo, 5171 Liberty Avenue, Pittsburgh, PA 15224-2254  
 14384818 Penn Credit Corporation, 916 S 14th Place, P.O. Box 988, Harrisburg, PA 17108-0988  
 14384823 Rohland, Patt, Rohland Associates, 119 Thornton Road, Brownsville, PA 15417-9607  
 14384824 Uniontown Hospital, 500 West Berkeley Street, Uniontown, PA 15401-5596

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14384782 +E-mail/Text: holly.tylka@advanceddisposal.com May 31 2017 00:45:20 Advanced Disposal, P.O. Box 266, 1184 McClellandtown Road, McClellandtown, PA 15458-1118  
 14384783 +E-mail/Text: roy.buchholz@allianceoneinc.com May 31 2017 00:44:18 Alliance One Receivables Management, 4850 Street Road--Suite 300, Trevese, PA 19053-6600  
 14384788 E-mail/PDF: gecsed@recoverycorp.com May 31 2017 00:42:11 CareCredit/Synchrony Bank, Attn: Bankruptcy Department, P.O. Box 965060, Orlando, FL 32896-5060  
 14384789 +E-mail/Text: bankruptcy@cavps.com May 31 2017 00:45:33 Cavalry Portfolio Services, 500 Summit Lake Drive--Suite 400, Valhalla, NY 10595-2322  
 14384793 E-mail/PDF: creditonebknofications@resurgent.com May 31 2017 00:42:07 Credit One Bank, P.O. Box 98873, Las Vegas, NV 89193-8873  
 14384803 E-mail/Text: cio.bncmail@irs.gov May 31 2017 00:44:32 Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346  
 14384810 +E-mail/Text: bankruptcydpt@mcmcg.com May 31 2017 00:45:08 Midland Funding, P.O. Box 60578, Los Angeles, CA 90060-0578  
 14384815 +E-mail/Text: bncmail@w-legal.com May 31 2017 00:45:26 Oak Harbor Capital IV, LLC, c/o Weinstein and Riley, PS, 2001 Western Avenue--Suite 400, Seattle, WA 98121-3132  
 14384816 E-mail/Text: RVSVCBICNOTICE1@state.pa.us May 31 2017 00:44:56 PA Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946  
 14384821 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com May 31 2017 01:06:23 Portfolio Recovery, 130 Corporate Boulevard, Norfolk, VA 23502  
 14407955 E-mail/Text: RVSVCBICNOTICE1@state.pa.us May 31 2017 00:44:56 Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg PA 17128-0946  
 14384822 +E-mail/PDF: resurgentbknofications@resurgent.com May 31 2017 00:48:54 Resurgent Capital Services, P.O. Box 10675, Greenville, SC 29603-0675

TOTAL: 12

District/off: 0315-2

User: jhel  
Form ID: 149

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Total Noticed: 49

Date Rcvd: May 30, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr PNC BANK, NATIONAL ASSOCIATION  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 1, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 01, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 30, 2017 at the address(es) listed below:

Charles O. Zebley, Jr. on behalf of Joint Debtor Lisa A. Rapchak COZ@Zeblaw.com,  
Lori@Zeblaw.com, Janet@Zeblaw.com  
Charles O. Zebley, Jr. on behalf of Debtor Randy A. Rapchak COZ@Zeblaw.com, Lori@Zeblaw.com,  
Janet@Zeblaw.com  
Daniel R. White on behalf of Joint Debtor Lisa A. Rapchak dwhite@zeblaw.com,  
gianna@zeblaw.com; dwhite.zmw@gmail.com  
Daniel R. White on behalf of Debtor Randy A. Rapchak dwhite@zeblaw.com,  
gianna@zeblaw.com; dwhite.zmw@gmail.com  
James Warmbrodt on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION bkgroup@kmlawgroup.com  
Kevin Scott Frankel on behalf of Creditor Nationstar Mortgage LLC pabk@logs.com  
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 8